

STAND. COM. REP. NO.

1217

Honolulu, Hawaii

APR 08 2011

RE: H.B. No. 1004
H.D. 1
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 1004, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHAPTER 480, HAWAII REVISED
STATUTES,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify the
existing antitrust law to reconfirm the right of government
entities to bring actions for damages notwithstanding the
government entities' status as indirect purchasers.

Your Committee received testimony in support of this measure
from the Department of the Attorney General.

Your Committee finds that this measure will provide the State
an opportunity to seek redress where the State has been harmed by
antitrust violations. Your Committee further finds that the
current law has prevented the State from pursuing suit for
identified antitrust violations involving matters such as systemic
price fixing, which would have properly resulted in reimbursement
to the State for overcharges and other damages. Finally, your
Committee finds that this measure does not create any new
violations or enable undue expansion of damage awards. Rather,
this measure allows the State to pursue proper remedies for actual
economic harm suffered by the State because of the unlawful
conduct of outside entities.



As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1004, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



CLAYTON HEE, Chair



Record of Votes
Committee on Judiciary and Labor
JDL

*Only one measure per Record of Votes